



H6
11-08-03
mel

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RESPONSE TO THE AUGUST 29, 2003 OFFICE ACTION

APPLICANTS: Klaus DIETRICH et al. CONFIRMATION NO.: 3711
SERIAL NO.: 09/768,699 GROUP ART UNIT: 3621
FILED: January 24, 2001 EXAMINER: John M. Winter
TITLE: "POSTAGE METER MACHINE AND SECURITY MODULE
THEREFORE"

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RECEIVED

NOV 06 2003

GROUP 3600

SIR:

Applicants and their counsel have carefully reviewed the Office Action dated August 29, 2003, but believe the claims in their present form are patentable over the reference and Official Notice relied upon by the Examiner. Reconsideration of the application in view of the following arguments in support of patentability is therefore respectfully requested.

REMARKS

In the August 29, 2003 Office Action, claims 1-9 were rejected under 35 U.S.C. §103(a) as being unpatentable over Leon et al in view of Official Notice that the claim element of "said security module automatically deactivating itself, and thereby precluding printing of said postage value stamp, if said control unit hands over an incorrect security code or no security code upon each interrogation" is common and well known in the field of security systems. The Examiner stated it would have been obvious to a person of ordinary skill in the art to include such

3621



TELEPHONE (312) 258-5500

SCHIFF HARDIN & WAITE

PATENT DEPARTMENT

6600 SEARS TOWER

233 SOUTH WACKER DRIVE

CHICAGO, ILLINOIS 60606

IN RE APPLICATION OF:

Klaus Dietrich et al;

GROUP ART UNIT: 3621

SERIAL NO.:

09/768,699

EXAMINER: John M. Winter

FILED:

January 24, 2001

CONFIRMATION NO.: 3711

TITLE:

**"POSTAGE METER MACHINE AND SECURITY MODULE THEREFOR"
"RESPONSE TO THE AUGUST 29, 2003 OFFICE ACTION"**

Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450
SIR:

Transmitted herewith is an amendment in the above-identified application.

☒ No additional fee is required.

The fee has been calculated as shown below.

RECEIVED
NOV 06 2003
GROUP 3600

| CLAIMS AS AMENDED | | | | | | |
|---|--|-------|--|-------------------------|---|--------------------------|
| | (2) CLAIMS REMAINING AFTER AMENDMENT | | (4) HIGHEST NO. PREVIOUSLY PAID FOR | (5) PRESENT EXTRA | (6) RATE | (7) ADDITIONAL FEE |
| TOTAL CLAIMS | *9 | MINUS | **20 | X | () X 9.00 () X 18.00 | 00 |
| INDEP. CLAIMS | *2 | MINUS | 3 | X | () X 43.00 () X 86.00 | |
| Application amended to contain any multiple dependent claims not previously paid for. | | | | () YES () NO | () \$145.00 () \$290.00 ONE TIME | |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT | | | | | \$00 | |

* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.

- ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20 write "20" in this space.
- ☐ Applicants petition the Commissioner of Patents and Trademarks to extend this time for response to the Office Action dated for ____ months so that the period for response is extended to _____. A check in the amount of \$_____ is attached to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to deposit account No. 501519. A duplicate copy of this sheet is enclosed.
 - ☐ A check in the amount of \$_____ is attached.
 - ☐ A check for \$_____ accompanying IDS under 37 CFR 1.97(c) is attached
 - ☐ A check for \$_____ and Petition for Consideration of IDS under 37 CFR 1.97(d) is attached.
 - ☒ The Director is hereby authorized to charge any additional fees which may be required, or to credit any overpayment to account No. 501519. A duplicate of this sheet is enclosed.
- When phoning re this application, please call (312) 258-5500.

SCHIFF HARDIN & WAITE (Customer Number: 26574)

Patent Department

BY Steven H. Noll (28,982)

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O BOX 1450 Arlington , VA 22313-1450 on October 27, 2003.

Steven H. Noll
NAME OF APPLICANT'S ATTORNEY

SIGNATURE

October 27, 2003
DATE